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2013 MAY -3 AM 9:54

In the Matter of the Claim of

COMPTROLLER OF THE
CENTRAL IMAGE FACILITY
BUR. INFORMATION SYSTEM

DAVID RANTA

-against-

THE CITY OF NEW YORK, NEW YORK POLICE DEPARTMENT, POLICE
OFFICER LOUIS SCARCELLA, POLICE OFFICER STEPHEN CHMIL, AND
POLICE OFFICER JOHN DOES 1-10

TO: COMPTROLLER OF THE CITY OF NEW YORK

2013 MAY -1 AM 9:31
CITY OF NY LAW DEPT.
OFFICE OF CIVIL COUNSEL
DISCIPLINARY UNIT

PLEASE TAKE NOTICE that the undersigned claimant hereby makes claim
and demand against the City of New York, The New York Police Department, Police
Officers Louis Scarella, Stephen Chmil and John Does 1-10 as follows:

1. The name and addresses of claimant and claimant's attorney are:

David Ranta	Pierre Sussman, Esq.
c/o Law Office of Pierre Sussman	Law Office of Pierre Sussman
903B Sheridan Avenue	903B Sheridan Avenue
Bronx, New York 10451	Bronx, New York 10451

2. The nature of the claim:

False imprisonment; malicious prosecution; negligent hiring, retention, training, discipline and supervision; intentional infliction of emotional distress; abuse of process; negligence, carelessness and recklessness; defamation; violation of David Ranta's constitutional rights under the Fourth, Fifth, Sixth, Eighth, Ninth and Fourteenth Amendments to the United States Constitution and 42 U.S.C. § 1983, and Art. I, §6 and §12 of the New York State Constitution.

Claimant also seeks damages from the City of New York for such claims under the principle of respondeat superior. The City is liable for the acts of employees of agencies of the City of New York, specifically, the New York City Police Department, including, but not limited to, NYPD detectives Louis Scarella and Stephen Chmil and Police Officer John Does 1-10.

3. The time when, the place where, and the manner in which the claim arose, upon information and belief:

On February 8th, 1990, at approximately 5:30 a.m., Haskell Werzberger, a Rabbi, was shot in the vicinity of 130 Clymer Street in the Williamsburg section of Brooklyn. The Rabbi died of his injuries four days later. New York City Police Department Detectives Louis Scarella and Stephen Chmil were assigned to the investigation of this case.

On August 13th, 1990, at approximately 12:30 PM, over six months after the Rabbi's murder, Detectives Scarella and Chmil arrested David Ranta on 73rd Street between 20th and 21st Avenue, Brooklyn, New York. They did so without justification or provocation, and without probable cause. Indeed they did so knowing that David Ranta did not murder the Rabbi.

In the six months prior to David Ranta's arrest and leading up to and including his criminal trial, Detectives Scarella and Chmil, and other employees of the New York City Police Department, while being supervised and monitored by the New York City Police Commissioner and his delegates, coached a key identification witness, improperly incentivized the giving of false testimony by another key witness, suppressed exculpatory evidence and perjured themselves at trial, leading to David Ranta's conviction on May 22nd, 1991.

The misconduct by employees of the New York City Police Department, including but not limited to Detectives Scarella and Chmil, including the initiation and continuation of Claimant's malicious prosecution, resulted from continued negligence, recklessness, and/or deliberate indifference, before and during the investigation and prosecution of Claimant, through the date of his release on March 21st, 2013; and by the New York City Police Commissioner and by his delegates, with regard to the hiring, retention, training, supervision, and disciplining of police detectives and officers, despite repeated notice of their failures to comply with their obligations to investigate, arrest and initiate the prosecution of criminal suspects and defendants in accordance with the common law, the statutes, and the Constitution of the State of New York (and of the United States).

On March 20th, 2013, the King's County District Attorney's Office, Conviction Integrity Unit, in response to a CPL § 440.10 Motion brought by counsel for the Claimant, Pierre Sussman, filed an Affirmation in Response requesting that the Court grant Claimant's

Motion to Vacate the judgment of conviction in his case. Additionally, the District Attorney's Office moved to dismiss the Indictment.

On March 21st, 2013, Kings County Supreme Court Justice Miriam Cyrulnik granted Claimant's Motion to Vacate his conviction and granted the District Attorney's Motion to Dismiss the indictment.

4. The items of damages or injuries claimed are:

Loss of liberty; loss of past earnings and impairment of future earning power; damage to reputation; past and future mental and emotional distress and suffering; physical illness/disease/injury and medical expenses attributable to Claimant's wrongful imprisonment; Claimant's loss of the services, society, and companionship of and consortium with his family; and other items of attendant damages.

Total amount claimed: One Hundred Fifty Million
(\$150,000,000.00) Dollars



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Attorney for Claimant
David Ranta

TO: Office of the Comptroller
City of New York
One Centre Street
New York, New York 10007

Dated: Bronx, New York
April 22nd, 2013

VERIFICATION

STATE OF NEW YORK)
:SS.:
BRONX COUNTY)

PIERRE SUSSMAN, an attorney duly admitted to practice law in the State of New York, hereby affirms under the penalty of perjury that the following is true:

I represent the Claimant David Ranta in the within proposed action. I have read the foregoing Notice of Claim. The statements therein are true to my knowledge, except as to matters alleged therein to be made upon information and belief, which I believe to be true based on my review of, *inter alia*, court and public records.

PIERRE SUSSMAN, ESQ.

DATED: BRONX, NEW YORK
April 22, 2013

VERIFICATION

STATE OF NEW YORK)
:SS.:
BRONX COUNTY)

DAVID RANTA, being duly sworn, hereby states the following is true:

I am the Claimant herein and have read the foregoing Notice of Claim. The same is true according to my knowledge, except as to matters stated therein to be made upon information and belief, which I believe to be true.

David Ranta
DAVID RANTA

Sworn to before me this
22 Day of April, 2013

~~NOTARY PUBLIC~~ NICOLAS BAGLEY
Notary Public, State of New York
No. 02BA6219928
Qualified in Westchester County
Commission Expires April 5, 2017